



**TOWN OF FOREST HEIGHTS, MARYLAND
COUNCIL WORK SESSION MEETING
VIRTUAL MEETING | MONDAY, MAY 3, 2021 | 7:30PM**

AGENDA

Call to Order 7:30 PM

Roll Call Council

1. Habeeb-Ullah Muhammad, Mayor	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
2. Calvin Washington, Council President -- Ward I	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
3. Robert Barnes, Councilman -- Ward I	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
4. Clifton Atkinson, Councilman – Ward II	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
5. Jonathon Kennedy II, Councilman – Ward II	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
6. Taunya Hines, Councilwoman – Ward III	<input type="checkbox"/> Present	<input type="checkbox"/> Absent
7. Paula Noble, Councilwoman – Ward III	<input type="checkbox"/> Present	<input type="checkbox"/> Absent

Moment of Silence

Pledge of Allegiance to the Flag of the United States of America- it is a recording.

Approval of Agenda

a. Minutes from Wednesday, April 21, 2021

Public Period (limit 2 minutes)

- I. Reports
 - a. Treasurer
 - b. Public Works Director
 - c. Lobbyist, Greenwill Consulting
 - d. Code Enforcement
 - e. Ombudsman
 - f. Police Chief
 - g. Town Administrator
- II. Councilmember/Mayor Report
 - a. Ward I
 - b. Ward II
 - c. Ward III

Legislation

- a. RESOLUTION 13-21 A RESOLUTION TO APPROVE AND SUPPORT THE MIXED-USE DEVELOPMENT OF PROPERTY LOCATED WITHIN AND ABUTTING THE CORPORATE LIMITS OF THE TOWN OF FOREST HEIGHTS KNOWN AS NATIONAL VIEW.

TOWN OF FOREST HEIGHTS, MARYLAND
COUNCIL WORK SESSION MEETING
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- b. RESOLUTION 19-21 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE TOWN OF FOREST HEIGHTS (THE "TOWN") TO OBTAIN A BOUNDARY SURVEY WITH A METES AND BOUNDS DESCRIPTION AND AN ANNEXATION PLAT FOR THE PROPOSED NINTH EXTENSION TO INCLUDE THE FAITH SUBDIVISION PARCEL, LOCATED AT 5701 LIVINGSTON ROAD, OWNED BY A TAX-EXEMPT ENTITY IN ORDER TO PREPARE CERTAIN DOCUMENTS NECESSARY FOR MUNICIPAL ANNEXATION.
- c. RESOLUTION 20-21 A RESOLUTION TO AWARD A CONTRACT TO FAULKNER LAWN CARE & CONSTRUCTION INC. BASED ON PREVIOUS PROPOSALS RECEIVED PURSUANT TO REQUESTS FOR PROPOSALS (RFP) 03-FH FOR LANDSCAPING AND SNOW REMOVAL SERVICES AND DUE TO THE ORIGINAL AWARDEE'S ANTICIPATORY BREACH AND FAILURE TO PERFORM THE CONTRACT OF DECEMBER 2020.
- d. RESOLUTION 21-21 FISCAL YEAR 2021 BUDGET AMENDMENT.
- e. RESOLUTION 22-21 ESTABLISH FISCAL YEAR 2022 TAX RATES

Election of New Council President

New Business

Adjournment

Join Zoom Meeting

<https://us02web.zoom.us/j/86008316885>

Meeting ID: 86008316885

One tap mobile

+13017158592,,86008316885# US (Washington DC)

Dial by your location

+1 301 715 8592 US (Washington DC)

Meeting ID: 86008316885

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, April 21, 2021
Meeting Minutes
Virtual Meeting**

Call to Order: 8:00 PM

Roll Call: CM Washington, CM Barnes, CM Kennedy II, CM Atkinson, CW Noble, CW Hines present. Mayor Muhammad absent; quorum established

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CM Kennedy II to approve the agenda; seconded by CW Hines; all in favor; motion passed.

Public Period: Ms. Theresa Brownson asked if the council had decided if they were going to have a second Public Period before New Business. She also asked if the impoundments from the Police Department were solely from the Town, or from helping the county and what was the total revenue, and then inquired why Resolution 11-21 was there when Senora Thompson-Scott had already been hired. CM Washington asked that she contact the chief about the impounds, the he will get back to her about the second Public Period, and referred her to the Town Administrator for hiring questions.

Ms. Andrea McCutcheon asked what the criteria was for the cleanup volunteers, stating that her grandson was turned away and that she was not satisfied with the email sent to her. She also commented that CM Kennedy was staying past his term. She commented that the police were staying on MD-210 and that there were some package thefts in the neighborhoods. CM Washington responded that they did have a list for volunteers to keep people safe, that her grandson was not turned away, and no high school student that needed credit hours would have been turned away. CM Kennedy's term ends in May. He referred her to the Town Attorney for any other questions. In regards to the Police Department, he referred her to the chief for patrol practices, and mentioned that police respond in multiple numbers on certain calls for safety purposes.

Ms. Tina McDowell expressed her disapproval of National View development and Petra, and urged the council to vote against Resolution 13-21.

Legislation:

Resolution 09-21: A Resolution to approve a revised and substituted copier lease with US Bank Equipment Finance ("Lessor") and an equipment, software & services agreement with Centric Business Systems, Inc. ("Supplier"); motion by CM Kennedy II to waive the full reading; seconded by CW Hines; motion by CM Kennedy II to adopt Resolution 09-21; seconded by CW Hines; no discussion; vote (6 yes; 0 no) motion passed.

Resolution 11-21: A Resolution of the Mayor and Council of the Town of Forest Heights, Maryland to hire Senora Thompson-Scott, as a full-time employee with the Police Department; motion by CM Kennedy II to waive the full reading; seconded by CW Hines; motion by CM Kennedy II to adopt Resolution 11-21; seconded by CW Hines; no discussion; vote (6 yes; 0 no) motion passed.

Resolution 12-21: A Resolution authorizing the Mayor to enter into a professional services contract on behalf of the Town of Forest Heights to consult with a local firm regarding rerouting and installation of electrical service for the Town's maintenance garage located on Parcel A, and generally relating to professional services; motion by CM Kennedy II to waive the full reading; seconded by CW Hines; all in favor; motion by CM Kennedy II to adopt Resolution 12-21; seconded by CW Hines; motion to adopt Resolution 12-21 as amended to fill in the blanks of the line item and dollar amount (8038, Modoc Lane and \$15,500) by CM Kennedy II; seconded by CW Hines; vote (6 yes; 0 no) motion passed as amended.

Resolution 13-21: A Resolution to approve and support the mixed-use development of property located within and abutting the corporate limits of the Town of Forest Heights known as National View; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; all in favor; motion by CW Hines to adopt Resolution 13-21; seconded by CM Kennedy II; discussion; CM Barnes asked the Town Administrator to share his notes on the pros and cons of the project with a meeting with a third party legal counsel. The Town Administrator responded that he was not prepared, that it would take 20-30 minutes to go in-depth for that testimony, and that he was not aware that was the councilman's intentions. CM Washington announced he had some amendments that he wished to share. CW Noble expressed concern that they did not have enough time to hear the amendments and suggested tabling the resolution. CM Kennedy II read the amendments; to include a date of June 16, 2021 as the deadline for the mayor or her designees to reach an agreement; adding to the agreement requirements to explore solutions to entryway for Bald Eagle Road, to look into placing markers for the Butler property, to consider limiting high rises and seek for more low rise developme, to conduct a noise study, to reinforce the tree line, and to preserve specimen trees as well as any other amendments deemed necessary. CW Noble asked if the amendments had legal review. CM Washington responded that the Town Attorney reviewed it. He noted that several residents were concerned about having high rise buildings near Cree Drive, and that it would be great for the Town to have a hand in conceptualization. He commented that the Town missed out on National Harbor and did not want the developers to shut out the Town this

time. He asked the Town Administrator to accommodate CM Barnes as soon as possible. CW Noble added that residents on Cree Drive are concerned that the environment would change, and expressed the opinion that not enough outreach was done. CW Hines stated that her mother lived on Cree and asked if they had gone door-to-door on the street to get the opinion of the residents. CM Kennedy II remarked that the developers had talked about installing a buffer between them and the properties on Cree. CW Noble stated that April 28th is the next zoning hearing meeting, and the 24th of April is the last day to register to speak. The Town Attorney pointed out that the amendment allows flexibility in crafting the pre-annexation agreement after the fact. He also clarified that the previous attorney brought onboard was not a land use attorney but focused on municipal finance. He suggested the resolution be tendered. Motion by CW Noble to table Resolution 13-21; seconded by CM Barnes; vote (5 yes; 1 abstain); motion tabled.

Resolution 14-21: A Resolution to participate in the adult mosquito control program 2021 with the Maryland Department of Agriculture; motion by CM Kennedy II to waive the full reading; seconded by CW Hines; motion by CM Kennedy II to adopt Resolution 14-21; seconded by CW Hines; vote (6 yes; 0 no); motion passed.

Resolution 15-21: A Resolution for the adoption of an amendment to the Town's Employee Handbook regarding compensatory time for exempt employees; motion by CM Kennedy II to waive the full reading; seconded by CW Hines; motion by CM Kennedy II to adopt Resolution 15-21; seconded by CW Hines; discussion; CW Noble asked if they had an employee handbook and when has it been revised; the Town Administrator said that it has been several years since revision. CM Kennedy II asked for clarification on reasonable time frame of comp time. The Town Administrator stated that he had to approve any comp time, it would not roll over, and it should be utilized withing reasonable limits, such as within a year. An exempted employee may only accrue 20 hours. Vote; (5 yes; 1 no); motion passed.

Resolution 16-21: A Resolution to set forth and establish the Town's Real Property Tax Rate for Fiscal Year 2022; introduced by Town Council; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; motion by CW Hines to adopt Resolution 16-21; seconded by CM Kennedy II; discussion; the Treasurer explained that the blank spaces on the first pages were for the Council to decide the rates by electing the categories for the constant yield tax rate, if they choose to set the rate for non-commercial properties, then they would need to have a hearing. CW Noble stated that she felt the rates to remain the same. The Treasurer stated that if they adopted anything other than the constant yield tax, they would need to have a hearing. If they want to keep the revenue the same, then they can adopt the constant yield tax rate (0.576). The Town Attorney stated that they can go below the constant yield and not trigger a hearing. Motion by CM Kennedy II to adopt Resolution 16-21 as amended; seconded by CW Hines; vote (6 yes; 0 no) motion passed as amended.

Resolution 17-21: A Resolution to purchase (4) police vehicles and equipment to replace 4 police vehicles that are no longer serviceable; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; all in favor; motion by CW Hines to adopt Resolution 17-21; seconded by CM Kennedy II; discussion; CW Noble wanted to know why it was 4 vehicles and how soon would they need to purchase more vehicles. CM Washington responded that it would not need to be replaced for a long time, 1 vehicle was recently involved in an accident; vote (6 yes; 0 no); motion passed.

Resolution 18-21: A Resolution of the Mayor and Council of the Town of Forest Heights Appointing Council Committees and Chairs; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; motion by CW Hines to adopt Resolution 18-21; seconded by CM Kennedy II; vote (6 yes; 0 no) motion passed.

Ordinance 01-21 (2nd Reading): An ordinance of the Mayor and Council of the Town of Forest Heights, Maryland Readopting and amending Article 20 (Financial Management and Internal Controls), Section 20.4 (Procedures) of the Ordinance Code of the Town of Forest Heights to change the threshold amount for small purchases from \$1,000 to \$5,000 thereby authorizing the Mayor to make small purchases up to \$5,000 without prior approval by the Council, and generally relating to procurement procedures; introduced by CW Hines; motion by CW Hines to waive the full reading; seconded by CM Kennedy II; motion by CW Hines to adopt Ordinance 01-21; seconded by CW Noble; CM Kennedy II asked the Town Administrator and Treasurer if this was a fair number to move to; they both answered yes. Vote; (6 yes; 0 no) motion passed.

New Business: CM Kennedy II asked the council if they had read an update on Oxon Run Trail Development. It stated that the scope of work for the Oxon Run Trail Development in Forest Heights has been completed and put to bid. CM Washington corrected an earlier statement he made in public period, asking that no resident directly contact the Town Attorney but rather the Town Administrator or Town Clerk for legal matters.

Meeting Adjourned: 9:25 PM

**Town of Forest Heights
Treasurer's Report
April 30, 2021**

	Bank Acct Balance	Quickbook Balance	Quickbook Balance
	<u>04/30/21</u>	<u>04/30/21</u>	<u>04/30/20</u>
TD Bank General Fund	165,159.60	104,119.59	168,776.67
TD Bank Rainy Day Fund	160,132.40	160,132.40	157,132.40
TD Bank Speed Camera	3,385,355.32	3,385,355.32	2,974,053.46
TD Bank Municipal Money Market	213,664.59	213,664.59	213,664.59
	<u>3,924,311.91</u>	<u>3,863,271.90</u>	<u>3,513,627.12</u>

General Fund Highlights:

1. Transfer of funds from Speed Camera Account to General Fund - \$300,000.00
2. Real Estate Tax distribution - \$13,272.79
3. DC Government reimbursement for Inaugural Police Services provided - \$10,824.99
4. Utility/Personal Property Tax payments received \$2,779.89
5. Solar Energy sale - \$390.60
6. PG Co Waste Rebate - \$1,999.00
7. Comcast 3rd Q Franchise Fee - \$3,846.75
8. GOCCP 3rd Qdistribution - \$14,724.50

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

May 1, 2021

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Bigbelly Trash Compactors

Town Infrastructure:

- Met with Barbara Gonzales, the representative for Pepco. Two (2) EV Chargers has been installed in the parking lot of the Municipal building. They are not operational yet, waiting for Pepco to connect the power.
- Pepco will also install another EV Charger on the lot next to Henrys. Pepco have not been able to move forward with the installation because they are waiting on DPIE to provide permits.
- I have also spoken with Mrs. Gonzales concerning Pepco suppling power to the new town sign that is to be placed on the lot next to Henrys. She will update me on the progress next week.
- DPW has been cutting the grass in the public areas of the town until a new landscaping contractor is put in place.
- DPW is starting the painting of speed humps, starting with N. Huron Dr.
- Waiting for a day and time of a scheduled meeting with SHA to discuss a possible MOU between SHA and the TOFH concerning the cleaning of MD-210.
- **N. Huron Drive**
 - Two cracked pervious sidewalk panels have been repaired by Z Conn.
 - David Cox (DPIE) ESC Inspector passed sidewalk inspection.
 - SHA has cleared ADA inspection on N. Huron Sidewalk Project, if approved
 - We have received the final release letter from DPIE.
 - Date for final walk through has not been scheduled. The Mayor and the Town Administrator is expected be present for the final walk through.
 - DPW is present for all onsite meetings.
 - A ribbon cutting ceremony for the completion of SRTS Sidewalk project is scheduled for May 7, 2021.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

➤ **Sachem Drive – Hill:**

- Retaining wall and hill stabilization has now been completed A final walk through with the contractor, the Town Administrator and the Mayor has been done.
- Both parties, Goode Trash & TOFH, working for a better solution to eliminate the excess trash in the streets. This is an ongoing effort. There are still a number of complaints coming in from the town's residents.
- Received the final document "TOFH Preliminary Stormwater Management Study" from Emily Clifton (LID) which shows possible BMP's for TOFH Storm Water Management issues.
- Emily Clifton will send over some recommended maintenance guidelines for permeable pavers?

➤ **Cree Drive**

- RFP for "Cree Drive Drainage Improvements and Road Repair" has been posted. Closing date will be April 30, 2021.

The pavement is heavily distressed/cracked due to a number of overlays and groundwater run-off. Residents have sent in numerous complaints about Cree Dr., this has not been overlooked or forgotten. There have been a number of inspections performed pertaining to Cree Dr. Government agencies, Contractors, WSSC, as well as Engineering Firms have looked at the cause of the breakdown of the pavement. The water has been tested by PG Department of the Environment to try to determine its origin. It is still to be determined. It is believed that approx. 50% of the water source may be coming from the homeowner. It's not in the best interest of the street to repair one or two areas, as the water has not ceased to flow. To repair Cree Drive, it will be a very intensive and expensive venture.

➤ **Rolph Drive**

- Z Conn LLC has cleaned the entire pervious sidewalk from Senaca Dr. to Woodland Dr.
- The Pervious Concrete Sidewalk has started faulting and cracking. Mr. Drew Parks (Z-Con Concrete) came out to inspect the sidewalk. He has provided the town with a cost estimate (\$8,319.61) to clean and repair the sidewalk.
- I received an email from Jenni Woolworth (AD Marble) recently, Mrs. Woolworth states "Our opinion is that the sidewalk settling is a result of the underground water flow saturating and shifting the backfill that was placed above the drainage system and below the pervious sidewalk. The saturation of the backfill due to underground water flow is unavoidable."

Building Infrastructure:

- The Town Hall building is being cleaned and sanitized daily by DPW.
- Real Plumbers located/repaired water leak in line from ice maker in upstairs kitchen.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

Equipment Maintenance

- Purchased three (3) new Echo edge trimmers.
- Replace wheel on X-Mark walk behind.
- Changed oil/filter on X-Mark walk behind mowers.

Other Areas:

- Answering Resident Communication
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily.
- Working with Neighborhood Design Center for a NFWF preliminary grant award for community forestry
- TOFH received a number of PPE items from Prince Georges' County Emergency Management
- DPW participated in the Spring Clean Up
- DPW installed new mailbox and sign for the TOFH Police Dept.

CODE COMPLIANCE UNIT REPORT APRIL 2021

Date	Violation Type	Amount	Location	Status
4/1/2021	T Building Permit	\$50.00	5720 Ottawa St	paid
4/2/2021	T Building Permit	\$50.00	5814 Shoshone Dr	paid
4/7/2021	Civil Citation	\$500.00	112 Fox Way	pending
4/7/2021	Civil Citation	\$700.00	5514 Arapahoe Dr	pending
4/8/2021	Notice of Violation	\$300.00	1002 Comanche Dr	pending
4/13/2021	C Building Permit	\$34.13	130 Cree Dr	paid
4/14/2021	Notice of Violation	\$300.00	5604 Ottawa St	pending
4/15/2021	Notice of Violation	\$250.00	5604 Miles Dr	pending
4/15/2021	Notice of Violation	\$500.00	5610 Shawnee Dr	pending
4/15/2021	Notice of Violation	\$250.00	113 Mohican Dr	pending
4/16/2021	Notice of Violation	\$112.88	130 Cree Dr	paid
4/19/2021	Notice of Violation	\$250.00	5506 Shawnee Dr	pending
4/26/2021	Notice of Violation	\$200.00	134 Onondaga Dr	pending
4/27/2021	Civil Citation	\$250.00	2 Seneca Dr	pending
4/27/2021	Notice of Violation	\$200.00	704 Quade Dr	pending
4/27/2021	Notice of Violation	\$500.00	5915 Choctaw Dr	pending
4/27/2021	Notice of Violation	\$200.00	5812 Arapahoe Dr	pending
4/28/2021	Notice of Violation	\$700.00	5805 Woodland Dr	pending
4/29/2021	Notice of Violation	\$1,000.00	211 Seneca Dr	pending
4/30/2021	Notice of Violation	\$500.00	5804 Arapahoe Dr	pending
Total		\$6,847.01		

TOWN OF FOREST HEIGHTS
Ombudsman Program

5508 Arapahoe Drive
Forest Heights, Maryland 20745
(301) 839-4040
(301) 839-1122

The Month of April

Late Fee's Request	15
Waived Fee Request	16
Waived Citation's	12
Flag Release	2

FOREST HEIGHTS POLICE DEPARTMENT

CALLS FOR SERVICE TOTALS

4/1/2021

To

4/30/2021

Incident Type	Total
911 DISCONNECT	14
ACCIDENT	11
ANIMAL COMPLAINT	5
ARMED PERSON	1
ASSAULT	1
CHECK WELFARE	1
CVA ABUSE	1
DEATH REPORT	1
DEPT ACCIDENT PD COMBINED	1
DISORDERLY	13
DOMESTIC	2
DWI DRIVER	1
FAMILY DISPUTE	6
FOUND	1
GUNSHOTS	1
HIGHWAY ACCIDENT COMBINED	1
HIT AND RUN	2
MISC POLICE INCIDENT	12
MISSING PERSON	2
NOISE COMPLAINT	1
PREMISE CHECK	194
PROPERTY ALARM COMMERCIAL	1
PROPERTY DAMAGE	2
RESIDENTIAL ALARM	2
SEXUAL ASSAULT	1
SHOOTING	1
STOLEN VEH	1
SUBJECT STOP	3
SUSPICIOUS AUTO	3
SUSPICIOUS OCC AUTO	7
SUSPICIOUS PERSON	4
THEFT FROM AUTO	2
THEFT J O	1
THEFT REPORT	2
TRAFFIC COMPLAINT	9

UNKNOWN TROUBLE	12
VANDALISM	2
VEHICLE ACCIDENT COMBINED	4
Total Calls -->	329

THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-21

A RESOLUTION TO APPROVE AND SUPPORT THE MIXED-USE DEVELOPMENT OF PROPERTY LOCATED WITHIN AND ABUTTING THE CORPORATE LIMITS OF THE TOWN OF FOREST HEIGHTS KNOWN AS NATIONAL VIEW

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, Harbor View LLC (the "Developer") has purchased the Butler and the Habib Foundation properties south of Cree Drive along with other properties and wishes to develop the land in cooperation of the Town to obtain the necessary land use approvals from M-NCPPC and the County; and

WHEREAS, the development area is approximately ten (10) acres of land located inside the Town and ten (10) acres located outside of the Town including the Butler parcels and an SHA parcel near Beltway and Bald Eagle Dr.; and

WHEREAS, the rezoning application for National View (A-10055) proposes the rezoning of the subject properties from R-55 and R-R to M-X-T for the development of residential, retail, commercial, and medical uses, and the applicant is proposing 1,500-1,700 multi-family units (of which 600 may be dedicated to affordable senior and workforce housing), four assisted living buildings, 200,000 square feet of retail/commercial/office space (upscale dining options, and a hotel, all with spectacular water views), a 50,000 square-foot medical building, and a 3,000 square-foot police substation; and

WHEREAS, according to the Developer, National View, formerly known as "Harbor View," will be located proximately near National Harbor, one of the County's designated Regional Transit Districts, and will promote higher density by capitalizing on existing transportation networks, and continuing a trend of mixed-use development already taking shape in the area; and

WHEREAS, the Mayor and Council find that the Town of Forest Heights seeks to correct the imbalance between residential and commercial development, and conservative estimates indicate that the Town could realize approximately \$3M annually in additional tax revenue from National View, and the development will also feature a police substation to accommodate the growing needs of the Town's police force and transition to 24-hour operations; and

WHEREAS, the Developer has requested that the Town cooperate and show support in the form of the following activities and other expressions of support: (i) provide a letter of support executed by the Mayor in supporting M-X-T rezoning of the Development Site, (ii) express support to the County Council and/or Planning Board to initiate a resolution commencing a minor amendment to the area sector plan incorporating the Butler portion of the Development Site, and (iii) express support for a resolution supporting the Rezoning and request the County Council to initiate a minor map amendment process, and (iv) permit its authorized officials and spokespersons

THE TOWN OF FOREST HEIGHTS

RESOLUTION 13-21

to submit testimony regarding the Town Government's support for the project to land use officials and bodies at the County and M-NCPPC level; and

WHEREAS, the Mayor and Council have conducted several presentations at open meetings on the proposed project by Petra Development including a Public Forum on the Harbor View held on February 24, 2021; and

WHEREAS, the Town's Sustainable Plan mirrors many of the development and redevelopment concepts and infrastructure improvements contained in the Sector Plan, which the Town recognizes is in need of updates to allow the Town to more effectively take advantage of an opportunity that has been presented which will greatly enhance the lives of Town residents, bring much-needed services, amenities, retail and commercial options to our Town residents; and

WHEREAS, the Mayor and Council find that the developer shares the Town's vision regarding creating true sustainable communities and the development plans reflect responsible initiatives to implement green techniques, such as vegetative green roofs, community gardens, and use of pervious materials where appropriate, and they also understand the importance of health and wellness and are implementing and connecting walking trails and other amenities to advance the health of residents who will live, work and play there, and residents will be able to walk safely from this development site along a connecting trail that leads across the Beltway to the National Harbor and beyond; and

WHEREAS, the Mayor and Council further find that support for this project will be beneficial for the Town for the following reasons: (i) our Towns' relative lack of an economic base has been a Smart Growth barrier, (ii) Granting this rezoning will allow the Town to broaden its tax base, and the development of these properties is crucial to this effort, (iii) the proposed development will result in a necessary increase in the Town's housing options, attracting the kind of commercial and retail business that the Town seeks for its residents, sit down restaurants and upscale brand name retailers within the Town limits, want our seniors to be able to "age in place" so it will not be necessary for them to leave the community as the aging process progresses; and

WHEREAS, a hearing scheduled for this project before the County Zoning Hearing Examiner had been continued until March 24, 2021 at 9:30 a.m. **with an additional hearing date of April 28, 2021 at 9:30 a.m. for the application** entitled as A-10055 Harbor View, LLC, Application of Harbor View Development, LLC/ Petra Development/National View requesting a Zoning Map Amendment to rezone abutting properties (known as the Butler and Habib properties) of approximately 20.1+/- acres of land in the R-R (Rural Residential) and R-55 (One-Family Detached Residential) Zones to the M-X-T (Mixed Use-Transportation Oriented) Zone to provide a high-density mixed use development to be known as National View.

NOW THEREFORE BE IT RESOLVED, by the Mayor and the Town Council of the Town of Forest Heights, supports the rezoning of the subject properties from R-55 and R-R to

The Town of Forest Heights

Resolution 13-21

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THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-21

M-X-T for the development of residential, retail, commercial, and medical uses proposed by the Developer and hereby consents to and supports the approval of the proposed Development, the boundaries of which shall include such portions of land located within the boundaries of the Town along with other parcels or lots located outside the current corporate boundaries of the Town.

AND BE IT FURTHER RESOLVED, that the Mayor and her designees are further authorized to serve as spokespersons for the Town and provide written or oral testimony to public agencies, planning entities and other organizations and to the press or public regarding the Town's positions regarding the Project as expressed, supported and intended by this Resolution provided that any official correspondence is regularly shared and/or reported to the Council at its regular and special meetings.

AND BE IT FURTHER RESOLVED, that the Mayor and staff shall cause to be dedicated or created a centralized Town webpage page or pages on the Town's website (<https://forestheightsmd.gov/>) to the Town's monitoring, meeting announcements, plans, agreements, testimony, press releases, official positions and reporting of activities related to this Project so that the Townspeople may readily view information of interest and concern and so that the public may be informed of the various land use and municipal decisions involved in the Project.

AND BE IT FURTHER RESOLVED, that the Mayor and her designees are hereby instructed to continue and finish negotiations [~~forthwith~~] BY JUNE 16, 2021 so that the parties may enter into a pre-annexation agreement for review and approval by this governing body prior to the conceptual plan **review phase of the Project; AND THAT THE AGREEMENT SHALL INCORPORATE THE FOLLOWING ITEMS OR CONCESSIONS TO BE CONSIDERED AND ADDRESSED:**

- 1. EXPLORE AN ALTERNATIVE EMERGENCY VEHICULAR ACCESS POINT TO SUPPLEMENT PRIMARY ACCESS THROUGH THE SOUTHERN BOUNDARY OF THE BUTLER PROPERTY TO BALD EAGLE ROAD VIA A DRIVEWAY THAT SERVES OXON COVE PARK AND OXON HILL FARM PROPERTIES OF THE NATIONAL PARK SERVICE; AND**
- 2. PROVIDE FOR WAY FINDING MARKERS FROM THE TOWN PROPER TO THE BUTLER HOUSE (PG:76A-014/NATIONAL REGISTER), A PRINCE GEORGE'S COUNTY HISTORIC SITE THAT WAS DESIGNATED IN 1981; AND**
- 3. SEEK DEVELOPMENT IMMEDIATELY ABUTTING THE LOTS ALONG CREE DRIVE IN THE NORTHERN PART OF THE PROPOSED DEVELOPMENT (PLATTED AS CHIPPEWA DRIVE) TO BE COMPATIBLE WITH THE LOW-DENSITY CHARACTER OF EXISTING SURROUNDING NEIGHBORHOOD IF**

THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-21

NOT PREFERABLY SINGLE-FAMILY DWELLINGS, TOWNHOMES OR GARDEN APARTMENTS OF LOW-RISE BUILDINGS, USUALLY NO MORE THAN TWO OR THREE STORIES HIGH: AND

4. INCREASE THE TREE CANOPY COVERAGE WITHIN THE EXISTING TOWN INCORPORATED AREA BY 3 PERCENT; AND
5. CONDUCT A NOISE STUDY PRIOR TO SUBDIVISION APPROVAL TO BE EVALUATED BY THE URBAN DESIGN SECTION AND THE TOWN; AND
6. PRESERVE AT LEAST 10% OF THE SPECIMEN TREES FOUND THROUGHOUT THE SITE AS INDICATED ON THE UPDATED NATURAL RESOURCE INVENTORY (NRI); AND
7. ANY OTHER AMENDMENTS DEEMED NECESSARY BY STAFF TO IMPROVE THE TERMS OF THE DRAFT PRE-ANNEXATION AGREEMENT FORMULATED BY THE PARTIES AS OF DECEMBER OF 2019.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of April 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

The document was amended 4/21/2021 with changes to the 11th paragraph beginning with "Whereas" and the first sentence to the third paragraph beginning with "And be it further resolved"

THE TOWN OF FOREST HEIGHTS
RESOLUTION 13-21

Sherletta Hawkins, Town Clerk

By: _____
Mayor Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of April 2021 with _____ Aye votes and _____ Nay votes the aforesaid Resolution ____-21 passed.

Sherletta Hawkins, Town Clerk

TOWN OF FOREST HEIGHTS
RESOLUTION 19-21

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT ON BEHALF OF THE TOWN OF FOREST HEIGHTS (THE "TOWN") TO OBTAIN A BOUNDARY SURVEY WITH A METES AND BOUNDS DESCRIPTION AND AN ANNEXATION PLAT FOR THE PROPOSED NINTH EXTENSION TO INCLUDE THE FAITH SUBDIVISION PARCEL, LOCATED AT 5701 LIVINGSTON ROAD, OWNED BY A TAX-EXEMPT ENTITY IN ORDER TO PREPARE CERTAIN DOCUMENTS NECESSARY FOR MUNICIPAL ANNEXATION

Introduced By: Habeeb-Ullah Muhammad

WHEREAS, the Town is authorized by the Town Charter and provisions of the Local Government Article, Section 4-401 *et seq.* of the Annotated Code of Maryland (the "Maryland Code") to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, said Article of the Maryland Code requires that a mete and bounds survey description of the property proposed for annexation be included in the annexation resolution as well as referenced in other related public documents to be prepared in accordance with applicable law; and

WHEREAS, the property proposed to be annexed will consist of a tax-exempt parcel of the Shachah World Ministries Inc., which is also known as 5701 Livingston Road (the "Annexation Property"); and

WHEREAS, the Charter of the Town of Forest Heights (the "Charter"), Section 33-63 permits the Council to forego the competitive bidding process in order to negotiate professional services contracts such as law, engineering and surveying services; and

WHEREAS, the Council finds that it is in the best interest of the Town to proceed with the proposed annexation to be known as Extension 9 and prepare the necessary documents to initiate the municipal annexation process for the aforesaid properties.

NOW THEREFORE BE IT RESOLVED, that the Town Council authorizes the Mayor to enter into a contract/proposal, attached hereto as Exhibit A and incorporated by referenced herein ("Contract"), and thereby obtain land surveying services from Charles P. Johnson & Associates, Inc., dated April 30, 2021 for the Annexation Property at a cost not to exceed \$3,100.00; and

BE IT FURTHER RESOLVED, the Treasurer shall utilize Line Item # 7025 "Legal Services" for this expenditure in the amount not to exceed \$3,100.00; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

TOWN OF FOREST HEIGHTS
RESOLUTION 19-21

PASSED this ____ day of May 2021.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of May 2021 with ____ Aye votes and ____ Nay votes the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk

[Exhibit 1 – Proposal of Charles P. Johnson & Associates, Inc., dated April 30, 2021 for the Annexation Property - Proposed Ninth Extension, Faith Subdivision, 5701 Livingston Road, Prince George's County, Maryland]

CPJ Charles P. Johnson & Associates, Inc.

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

Associates 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394

www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

April 30, 2021

Town of Forest Heights
5508 Arapahoe Drive
Forest Heights, MD 20745

Attention: Mayor Muhammad and Town Council
CC: Mr. Kevin Best

RE: Town of Forest Heights
Proposed Ninth Extension
Faith Subdivision
5701 Livingston Road
Prince George's County, Maryland

Dear Mayor Muhammad and Town Council

We appreciate the opportunity to present our proposal to provide professional services for the referenced project.

Task	Fee
945 Services to prepare a metes and bounds description and an annexation exhibit to include the Faith Subdivision as outlined in the exhibit contained in the email from Linwood Robinson dated April 22, 2021. The fee includes revising the City's Boundary description. Approximately 7 acres.	\$2,100.00 (Lump Sum)
946 Additional services to review documents including notifications and filings as may be requested by the Town's Attorney.	\$1,000.00 (Time Basis - Estimated Fee)

Enclosure A is an integral part of this agreement.

Work requested which is not covered by this or subsequent proposals and/ or time basis items shall be undertaken at our prevailing hourly rates (see attachment).



PREVAILING HOURLY RATES. EFFECTIVE JANUARY 1, 2021

Regional Manager	\$ 350.00
Operations Manager	250.00
Division Manager	205.00
Section Head/Project Manager	180.00
Sr. Designer/Sr. Surveyor	160.00
Designer/Surveyor	130.00
Permits Processing	125.00
CAD Technician	110.00
Field Survey Crew	185.00
Administrative	80.00

Mayor Muhammad and Town Council
Town of Forest Heights
Town of Forest Heights
Proposed Ninth Extension
Faith Subdivision
5701 Livingston Road
April 30, 2021
Page 2

Thank you for affording us the opportunity to present this proposal. We look forward to participating in this project and should further information be necessary, please contact us.

Respectfully submitted,



Steven Jones
Division Manager

Enclosure

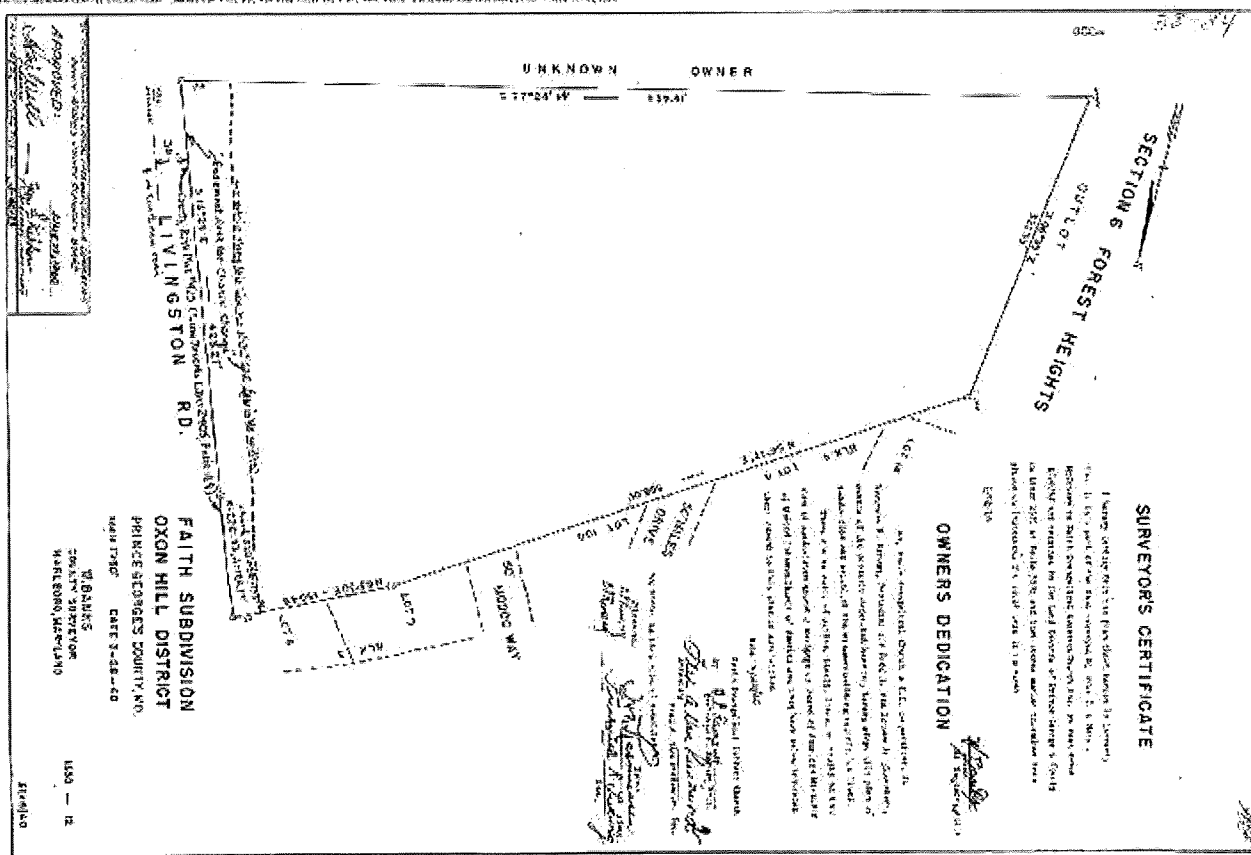
**WE HEREBY AUTHORIZE CHARLES P. JOHNSON & ASSOCIATES, INC., TO PROCEED IN
ACCORDANCE WITH THE ABOVE PROPOSAL.**

Organization: _____ **Date:** _____
By: _____ **Title:** _____

FOR SALE
Multi-Family Development Site

Livingston Rd

NAMichael



THE TOWN OF FOREST HEIGHTS
RESOLUTION 20-21

A RESOLUTION TO AWARD A CONTRACT TO FAULKNER LAWN CARE & CONSTRUCTION INC. BASED ON PREVIOUS PROPOSALS RECEIVED PURSUANT TO REQUESTS FOR PROPOSALS (RFP) 03-FH FOR LANDSCAPING AND SNOW REMOVAL SERVICES AND DUE TO THE ORIGINAL AWARDEE'S ANTICIPATORY BREACH AND FAILURE TO PERFORM THE CONTRACT OF DECEMBER 2020.

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter, Section 33-83 states that the Town shall have the power to do whatever may be necessary to protect town property and to keep all Town property in good condition; and

WHEREAS, the Town Ordinance Code, § 20.4(a)(4) mandates that a purchase of \$10,000 or more must be approved by the Council and shall be procured competitively by advertising a request for invitations to bid or a request for proposals, and that a minimum of three (3) bids or proposals are typically required to award a contract; and

WHEREAS, pursuant to Resolution 59-15 approved on October 21, 2015, the Town Council previously awarded a bid for snow removal services as described in Request for Bids (FHRFB 2-15) to a Contractor, Faulkner Lawn Care & Construction Inc., t/a Faulkner Lawn Care & Landscaping; and

WHEREAS, the staff later sought to combine the two service contracts for landscaping and snow removal and an RFP for the Project entitled "Forest Heights Landscaping and Snow Removal Services" was advertised with a due date of Friday, October 23, 2020, 4:00 P.M. and a pre-bid meeting held on October 14, 2020 at 11:00 A.M. at the Municipal Building; and

WHEREAS, as stated in the said RFP, the scope of work is: (i) snow must be removed and/or salt must be spread for approximately 9 miles of local (i.e., municipal) residential streets in accordance with specifications, and (ii) spring and fall cleanup for 21 enumerated Town-owned properties and regular lawn care and maintenance during the period of April 1st through October 30th, which is to include a Fertilizer program; and

WHEREAS, as further stated in the said RFP, (i) the initial contract term was to run from November 1, 2020 through November 1, 2021, (ii) with the possibility of extension for an additional five (5) years, and (iii) with the possibility of an annual price adjustment not to exceed the CPI; and

WHEREAS, RFP 03-FH for landscaping and snow removal services solicited by the Town received bid cost forms from six (6) vendors was summarized as follows:

THE TOWN OF FOREST HEIGHTS
RESOLUTION 20-21

ITEM/Vendor	<i>Brown</i>	<i>Capital Air</i>	<i>Faulkner (New)</i>	<i>Majestic</i>	<i>Tri-State (Prior)</i>	<i>Britt</i>
<u>Snow Removal</u>						
Hourly rate one (1) truck:	\$110	\$208	\$145	\$155	\$125	\$310
Hourly rate two (2) trucks	\$220	\$416	\$145	\$300	\$110	\$620
Hourly rate three (3) trucks	\$330	\$624	\$145	\$445	\$110	\$930
<u>Landscaping</u>						
Routine Maintenance:	\$300 per cut	\$72/hr.	\$25,000	\$6,303.20/mo. X 7 mo.	\$2500/mo., bi-weekly	\$89,612
Mow, Trim, Edge and Sweep	\$7800 per year	\$55/hr.	-	- 13 visits (2 visits/mo. For Apr-Sept; 1 in Oct.	-	-
Applications	\$125 per hr.	-	14-16	2 visits	\$230	\$600
Bed Maintenance	\$125 per hr.	\$55/hr.	\$5500	7 visits	\$0 included	\$16,800
Brush and Tree Removal/Trimming	3-man crew	\$249 per site	= [*Rev. 4/29/21 to add tree areas at \$8K]	-	included	-
Removal of Debris	\$250	\$56/hr.	Included	\$100/ton	\$0 included	\$8100
Special hourly rate if called	\$125	\$92/hr.	\$125	\$185/hr.	\$50/hr.	\$300
Cost of salt or other compounds if supplied	Included	\$4800 per truck	\$50/100lbs.	\$20/50 lbs. bag	\$100/ton	1.09

WHEREAS, the Town Council passed Resolution 65-20 on November 18, 2020 awarding the contract for landscaping and snow removal services to Tri-State Solutions of Maryland, LLC, and on December 7, 2020 the Council passed Resolution 71-20 approving a contract with said vendor; and

WHEREAS, Tri-State's Vice President wrote a letter dated March 30, 2021 to the Public Works Director stating that due to the ongoing Covid-19 Pandemic and the enhanced safety requirements it demands, Tri-State will no longer be able to supply landscaping services to the Town of Forest Heights at the current contract rate, and Tri-State will need to increase its contract rate for service to \$5,000 per month; and

WHEREAS, pursuant to the current contract of last December, Tri-State Solutions of Maryland, LLC, was only permitted to terminate due to default with at least 60 days' notice; however, the

THE TOWN OF FOREST HEIGHTS
RESOLUTION 20-21

Town has not been in default on the agreement and said letter from the vendor appeared to constitute an anticipatory breach of the contract especially since there is no "force majeure" clause in the contract; and

WHEREAS, Tri-State has not responded to a letter from the Town Administrator sent on April 8, 2021 thereby requesting assurances that Tri-State plans to honor its obligations under the contract and retract its anticipatory breach thereof, and another letter was sent by registered mail on April 20, 2021 providing a final notice of breach and termination effective May 8, 2021; and

WHEREAS, the Mayor and Council finds that the Town has a duty to mitigate its damages but it also should be able to recover its benefit of the bargain or expectation damages which means it may claim the difference in cost under this contract with the new replacement one; therefore, the Town hereby awards the contract to another firm and may seek a court judgment to recoup any damages if this matter cannot be settled; and

WHEREAS, the Town staff now recommends that the subject contract for landscaping and snow removal services along with some minor revisions to the scope of work be awarded to Faulkner Lawn Care & Construction Inc. to replace Tri-State; and

WHEREAS, the Town Council finds that the recommended vendor from the previous RFP is the next lowest or best bidder or proposer, for the quality of goods and work, time of delivery or completion, and responsibility of bidders being considered, and a written contract will be approved by the Council before work substantially continues further.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves the contract for landscaping and snow removal services with Faulkner Lawn Care & Construction Inc., at a budgeted total amount of \$38,500 annually for landscaping services for a 7-month period approximating \$ 5,500.00 billed monthly, but the Contractor shall be paid based on work satisfactorily completed and invoiced for both landscaping and snow removal services, according to the terms and conditions stated therein, as attached hereto and incorporated by reference herein as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Mayor shall be authorized to sign the contract on behalf of the Town consistent with the scope of work, terms and conditions set forth in the RFP previously approved by the Council, as revised, which further includes \$8,000.00 for enhanced tree trimming as stated in Article II(A.)(ii)(4) of said contract.

AND BE IT FURTHER RESOLVED, that the Town Council will appropriate funds as deemed necessary in its annual budget to cover the costs attributable to snow and ice removal under this contract.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of May 2021.

THE TOWN OF FOREST HEIGHTS
RESOLUTION 20-21

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	_____
KENNEDY II	_____
NOBLE	_____
BARNES	_____
HINES	_____
WASHINGTON	_____
ATKINSON	_____

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Mayor Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of May 2021 with ____ Aye votes and ____ Nay votes the aforesaid Resolution __-21 passed.

Sherletta Hawkins, Town Clerk

Exhibit – (A CONTRACT AGREEMENT WITH FAULKNER LAWN CARE &
CONSTRUCTION INC. - (BID NO.: FHRFB-03/04 - SNOW REMOVAL AND
LANDSCAPING)

CONTRACT AGREEMENT

(BID NO.: FHRFB-04 - Snow Removal and Landscaping)

THIS CONTRACT, entered into this _____ day of _____, 2021, by and between,

THE TOWN OF FOREST HEIGHTS (a municipal corporation)

5508 Arapahoe Drive

Forest Heights, Maryland 20745

hereinafter ("Forest Heights" or the "Town"), and

FAULKNER LAWN CARE & CONSTRUCTION INC. (Fed. Tax ID No. _____)

t/a Faulkner Lawn Care & Landscaping

303 Ellsworth Pl

Oxon Hill, Maryland 20745

hereinafter ("Contractor" or "Faulkner").

WHEREAS, RFP 04-FH for the Project entitled "Forest Heights Landscaping and Snow Removal Services" was advertised with a due date of Friday, October 23, 2020, and as stated in the RFP, the scope of work is: (i) snow must be removed and/or salt must be spread for approximately 9 miles of local (i.e., municipal) residential streets in accordance with specifications, and (ii) spring and fall cleanup for 21 enumerated Town-owned properties and regular lawn care and maintenance during the period of April 1st through October 30th, which is to include a Fertilizer program; and

WHEREAS, Forest Heights had previously chosen another vendor to award the contract pursuant to RFP 04-FH, but after notice and an opportunity to cure the vendor appears to have breached the agreement and refuses to perform its contractual obligations; and

WHEREAS, Forest Heights has now chosen a new Contractor and previous proposer, and the Contractor has provided an updated proposal dated April 29, 2021, and agrees to replace the previous awardee in accordance with certain revised and updated terms, and is duly registered and in good standing with the State and able to immediately perform, and has agreed to assume the contract and perform the work herein and be bound by the terms of this Contract.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions and terms herein contained be it agreed by and between the parties hereto as follows:

ARTICLE I - SCOPE OF WORK

The general objective of this Contract is that the Contractor, "**Faulkner**," shall provide landscaping services during the grass cutting season and appropriate snow removal services during the winter season to adequately maintain approximately nine (9) miles of municipal streets in the Town of Forest Heights as directed by the Town of Forest Heights' Representative, as set forth in Forest Heights' Solicitation with Contractor's Bid Cost Form (FHRFB), dated October 23, 2020. Other

Specifications, Requirements and Procedures (Para. H) particularly for snow removal including response times are also found in said Solicitation/Bidding Documents (13 pp.) incorporated by reference as if written word for word herein. The scope of work for the landscaping and snow removal services are as further stated in the proposal entitled "Landscape and Snow Removal Proposal dated April 29, 2021, attached hereto as Exhibit 1 and expressly incorporated herein by reference and made a part of this Contract.

Landscaping services for the Town of Forest Heights, Maryland will include:

1. Turf maintenance consisting of mowing, trimming and edging,
2. Turf fertilization consisting of three applications,
3. Spraying weeds in designated trees and flower beds as needed,
4. Mulching Service one time yearly to include designated trees and flower beds,
5. Seasonal flower rotation (summer to fall),
6. Spring clean up,
7. Pruning designated shrubbery, and
8. Tree trimming of designated trees including all crape myrtles and all spruce trees on Sachem Drive as well as treatment for mites where needed.

Objectives and Methods of Service Delivery:

The following list outlines the specific services that are to be provided in order to maintain the subject properties continued landscaping needs:

1. Minor debris will be removed prior to mowing. Mowing of turf areas will be done every 10 to 14 days beginning in early April and continuing through October. A minimum of 14 mowing sessions will be provided during the mowing season. Mowing areas will be cut at a height of 3" and will not exceed 4" throughout the season. From July 1 to September 15, turf will be mowed to a minimum of 4" and not to exceed 4.75" throughout this period. Mowing will be conducted using quality, well maintained equipment that does not tear the blades of grass. Grass clippings as required will be cleaned from bed or tree rings. Trimmings will be done around all trees and shrubs, buildings, and around/near the cutting areas.
2. The following crape myrtle trees areas will be trimmed in the spring: (1) Municipal parking area, (2) Woodland and Roth Drive, (3) Circle at Woodland & Seneca (4) Pine trees on Sachem Lane, (5) Tot Lot, and (6) Comanche Drive and Arapahoe Drive.
3. Edging will be performed on all accessible curbs and sidewalks with every cut.
4. Fertilization Schedule: Early spring: All lawn areas will be fertilized with crab grass fertilizer. Late spring: All lawn areas will again be fertilized with look up to prevent any weed growth. Early fall: All lawn areas will be fertilized with a broad leaf fertilizer.
5. Spraying weeds in/around trees and flower beds with round up as needed.
6. Mulching Services: This service will be provided one time yearly, in the early spring and will be applied in designated areas. In the spring all trees and beds will be spade edged to promote a defined appears and the old mulch will be removed
7. Flower Rotation Services: Seasonal flowers will be added twice yearly in the late spring and late fall.
8. Shrubby Pruning Services: Shrubby that requires shearing to maintain a proper appearance will be sheared as needed per contract year. Informal shrubby will be pruned twice yearly, roughly in June and early September. Flowering shrubs will be pruned after blooming. Ground covers will be edged and pruned as needed to maintain them within their

borders. Customary pruning practices will be observed and all resulting debris will be removed. Perennials will be cut back and pruned at the suitable times, usually in early spring, unless otherwise requested.

9. **Spring Clean Up:** All down branches will be picked up and removed. The flower beds will be cleaned of any debris. The wooded area(s) will be trimmed back where needed and a general inspection of all landscape areas will be conducted.
10. **Tree Trimming Services:** Tree trimming of all designated trees will be one time yearly in the early spring.

ARTICLE II - COMPENSATION AND METHOD OF PAYMENT

A. The Town of Forest Heights shall pay the Contractor for Snow Removal and Landscaping, at the rates of:

(i) SNOW REMOVAL

1. **Hourly rate one (1) truck:** Truck with spreader - One Hundred Forty-Five Dollars per hour (\$145.00/hr.) for one (1) truck.
2. **Hourly rate two (2) trucks:** Truck with plow - One Hundred Forty-Five Dollars per hour (\$145.00/hr.) for two (2) trucks working simultaneously.
3. **Skid loader with plow or bucket:** One Hundred Sixty-Five Dollars per hour (\$165.00/hr.). An hour minimum charge will be charged for drop off of the skid loader. Depending on the projected weather forecast, Faulkner Lawn care & Landscaping will drop off the skid loader prior to a major snowstorm. The skid loader will be used to move snow in areas where the trucks will be unable to safely or effectively move.
4. **Laborers for snow shoveling:** \$45.00 per hour with snow blowers - \$85.00 per hour.
5. **Cost of salt or other compounds if supplied:** \$60.00-\$45.00 per lbs. applied. The preferred choice is Magnesium Chloride.
6. **Cost of living increase:** This Contract will include a 3% cost of living increase to the above hourly billing rates for each year of added snow removal service.

(ii) LANDSCAPING

1. **Routine Maintenance & Mow, Trim, Edge and Sweep:** Town of Forest Heights shall budget to pay the Contractor, for Landscaping, a seasonal rate of Twenty-five thousand dollars (\$25,000.00) for Routine Maintenance to include Mowing, Trimming, and Edging and Sweeping. Mowing will be done every 10-14 days beginning early April and continuing through October. A minimum of 14 mowing sessions will be provided. Mowing areas to be cut at a height of 3" and will not exceed 4" throughout the season and all other lawn care, plant service, fertilization, tree service, lawn trimming, edging and cleanup standards, work performance, and services will be performed in accordance with the Contractor's Proposal dated October 20, 2020, incorporated herein by reference.
2. **Applications (Sessions):** 14-16, See fertilization schedule in Proposal.
3. **Bed Maintenance:** \$5,500.00,
4. **Brush and Tree Removal/Trimming:** \$8,000.00 (*Revision to original 10/20/20 proposal*),
5. **Removal of Debris:** Included

6. **Special hourly rate if called:** Town of Forest Heights shall also pay the Contractor a Special Hourly Rate of Fifty Dollars per hour (\$50/hr.) for discrete or special projects.

B. **Billing:** The Contractor shall submit bi-weekly or monthly invoices for all costs expended in the performance of this Contract. A standard billing format shall be followed including the Contractor's Federal Tax Identification Number stated above, and the Contract Identifying Number FHRFB-04(B). The invoice shall be delivered to the Town Administrator or his designee by the Contractor. Payments shall be made to the Contractor for any or all invoices received in each month within thirty (30) days. The Parties shall attempt to submit and process invoices such that payment will be made on the first of the month for seven consecutive months during the growing season upon submission of monthly invoicing.

C. **Budget:** The proposed total budget for the Town for the landscaping portion of services only to be provided under this Contract is \$38,500 annually for a 7-month period (i.e., April to October growing season) or approximating \$ 5,500.00 monthly, but the Contractor shall be paid based on work satisfactorily completed and invoiced. Due to the unpredictability of snowfall and inclement winter weather, the Town will appropriate funds as deemed necessary in its annual budget to cover the costs attributable to snow and ice removal under this contract.

ARTICLE III - TERM

The term of this contract shall be effective commencing June 1, 2021 until November 2, 2021, and thereafter from November 2 until the following November 2, which may be automatically renewed by Forest Heights each year in writing for an additional year, up to not more than five (5) years, based upon the performance of the Contractor. A request must be submitted by the Contractor no later than sixty (60) days before the renewal date of this contract each year, which shall be November 2. A request with supporting documentation for a negotiated price adjustment may not typically be approved which exceeds the amount of the annual percentage change of the Consumer Price Index (CPI), for all urban consumers issued for the Washington, D.C. Metropolitan Area, for the twelve-month period immediately prior to the date of the request.

ARTICLE IV - CONTRACT REPRESENTATIVES

Unless otherwise stated herein, all notices made pursuant to this Contract shall be in writing and delivered personally or sent by email or registered or certified mail, return receipt requested, to the parties at their respective addresses set forth below. The following individuals are designated as Contract Representatives for their respective parties may receive said notices or other correspondence:

THE TOWN OF FOREST HEIGHTS

Mr. Larry Vaughn, Public Works Director
5508 Arapahoe Drive, Forest Heights, Maryland 20745
Phone: (301) 839-1030
Email: ldvaughn@forestheightsmd.gov

Contractor: FAULKNER LAWN CARE & CONSTRUCTION INC.
t/a Faulkner Lawn Care & Landscaping
Mr. Gary T. Faulkner
303 Ellsworth Place
Oxon-Hill, Maryland 20745
Phone: 301-291-6712
Email: GFaulknerL@msn.com

ARTICLE V - WARRANTY

A. Contractor warrants to the Town that all services and labor furnished under this contract will be performed in accordance with the standard of care and diligence normally practiced by recognized firms of this type in performing services of a similar nature, free from defects which would not normally be found in work of this nature, and that the work will be of good quality, and in strict conformance with this contract. All work not conforming to these requirements may be considered defective.

B. The Contractor hereby certifies that it has examined the work site, and has carefully considered the specifications, and has read and examined the Contract Documents as referenced herein. Faulkner Lawn Care & Landscape will provide the necessary supervision of all staff on the Town's properties to ensure all tasks and services are performed professionally and timely.

ARTICLE VI – TERMINATION

A. This Contract is subject to termination for failure to comply with the promises, specifications, terms and conditions by the Town or the Contractor upon written notice by registered mail. Such termination will be effective not less than thirty (30) days nor more than sixty (60) days after Contractor's receipt of such notice from the Town, nor less than sixty (60) days nor more than ninety (90) days after receipt by the Town from the Contractor. Receipt of notice by one party to terminate the contract will nullify any subsequent reciprocal notice by the receiving party prior to the announced termination date. In the event of termination, the Town shall be responsible to pay the Contractor only for work satisfactorily completed upon the effective date of termination, and the Town shall not be responsible for any other charges.

B. Should the Town fail to make payment on any undisputed invoice amount within thirty (30) business days upon receipt of such invoice, Contractor may elect to either suspend the services provided or terminate this Agreement; provided, however, prior to termination, the Town shall be given notice of the default and an opportunity to cure such default within ten (10) business days after receipt of the notice of default. Should this Agreement be terminated by the Contractor, the Contractor shall be entitled to be paid only for the services actually completed to the satisfaction of the Town as of the date of termination.

C. The Town may terminate this contract for convenience by providing sixty (60) calendar days advance written notice to the Contractor. This Agreement may also be terminated by the written mutual consent of both parties.

ARTICLE VII - INSURANCE

A. The Contractor shall procure and maintain the following insurance, with policy limits not less than, as hereinafter set forth, throughout the term of this agreement and any supplemental agreements to protect the Town from damages resulting from the errors, acts, or omissions of the Contractor, its agents, officers, employees, or subcontractors in the performance of services rendered under this agreement and for which it is legally liable:

General liability/Aggregate - \$600,000 each occurrence
Liability & Medical Expenses - \$300,000 each occurrence
Personal and Advertising injury limit - \$300,000
Fire Legal Liability- any one fire or explosion - \$500,000
Medical Expenses limit- per person \$10,000
Products-Completed Operations Aggregate Limit - \$600,000
Automobile Liability - \$300,000
Workers Compensation as required by local and state jurisdiction

B. **Certificates of Insurance:** Prior to commencing any work under this agreement, Contractor shall provide the Town with satisfactory Certificates of Insurance with the Town named as an additional insured under General Liability and Automobile Liability. Contractor shall furnish the Town with copies of all insurance policies or certificates of insurance that relate to the insurance policies required to be maintained hereunder. In addition, insurance policies applicable hereto shall contain a provision that provides that the Town shall be given thirty (30) days' written notice by the insurance company before such policy is substantially changed or cancelled.

ARTICLE VIII – INDEMNIFICATION AND SAFETY

The Contractor shall indemnify and hold harmless the Town of Forest Heights, its officers, agents, and employees, from all suits, actions, and damages or cost of every kind and description, arising directly or indirectly out of the performance of the contract, whether caused by negligence on the part of the Contractor, its agents and employees, or by other causes. The Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and requirements, including those required by law in connection with the performance of the work. The contractor shall promptly remedy damages and loss to public or private property caused in whole or in part by the Contractor, or by anyone for whose acts the Contractor may be liable. Faulkner Lawn Care & Landscaping will not be held liable for damages to speed bumps, humps or manhole covers owned and maintained by the Town unless the Town provides a list with a map or photographs of said traffic calming devices and manholes prior to each winter snow season.

ARTICLE IX - ASSIGNMENT

This Contract may not be assigned by either party without the prior written consent of the other party.

ARTICLE X – MERGER, COUNTERPARTS, AND INTERPRETATION

This Contract embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations referring to the subject matter, other than those contained herein or incorporated herein by reference. This contract may be signed in counterparts. Any conflicts in any of the terms and conditions of contract documents referenced hereto and incorporated herein (i.e., Exhibits) shall be resolved in the following precedence: (i) this Contract, (ii) the Proposal dated April 29, 2021, and (iii) the bid documents for RFP 04-FH for the Project entitled "Forest Heights Landscaping and Snow Removal Services."

ARTICLE XI - APPLICABLE LAW AND VENUE

The construction, interpretation and performance of this Contract shall be governed by and construed in accordance with the laws of the State of Maryland. The Town and the Contractor further agree that this Contract shall be deemed to be made and performed in Forest Heights, Maryland. For the purposes of venue, all suits or causes of action arising out of this Agreement shall be brought in the State courts located in Prince George's County, Maryland.

IN WITNESS WHEREOF, the parties have executed this Contract (I.D. No. FHRFB-04(B)) by causing the same to be signed on the day and year first above written.

FAULKNER LAWN CARE & CONSTRUCTION INC.

WITNESS: _____ BY: _____
Name: _____
Title: _____

THE TOWN OF FOREST HEIGHTS

WITNESS: _____ BY: _____
Name: _____
Title: _____



"Delivering quality service at reasonable rates"

To: Town of Forest Heights Maryland c/o Larry Vaughn

From: Gary T. Faulkner, President/CEO

Subject: Landscape and Snow Removal Proposal

Date: April 29, 2021



Proposal for: Town of Forest Heights Maryland Lawn Care & Landscaping

Business Introduction:

Faulkner Lawn Care & Landscaping is a growing family owned business. Our lawn care services vary from lawn cutting to high – level maintenance. Our business is located in Oxon, Hill MD and was established in 1990.

The purpose of this proposal is to document and present to the Town of Forest Heights, an outline of services to be rendered in accordance with the towns' continued landscaping and snow removal needs.

Landscaping Proposal:

The proposed contract period is five one year agreements 2021-2026 with a two year option in 2027-2028. Landscaping services for the Town of Forest Heights, Maryland will include:

1. Turf maintenance consisting of mowing, trimming and edging
2. Turf fertilization consisting of three applications
3. Spraying weeds in designated trees and flower beds as needed
4. Mulching Service one time yearly to include designated trees and flower beds
5. Seasonal flower rotation (summer to fall)
6. Spring clean up
7. Pruning designated shrubbery
8. Tree trimming of designated trees including all crape myrtles and all spruce trees on sachem drive as well as treatment for mites where needed.

Objectives and Methods of Service Delivery:

The following list outlines the specific services that are needed in order to maintain the properties continued landscaping needs:

1. Minor debris will be removed prior to mowing. Mowing of turf areas will be done every 10 to 14 days beginning in early April and continuing through October. A minimum of 14 mowing sessions will be provided during the mowing season. Mowing areas will be cut at a height of 3" and will not exceed 4" throughout the season. From July 1 to September 15, turf will be mowed to a minimum of 4" and not to exceed 4.75" throughout this period. Mowing will be conducted using quality, well maintained equipment that does not tear the blades of grass. Grass clippings as required will be cleaned from bed or tree rings.

- Trimming will be done around all trees and shrubs, buildings, and around/near the cutting areas.
2. The following crape myrtle trees areas will be trimmed in the spring:
 3. (1) Municipal parking area (2) Woodland and Roth drive (3) Circle at Woodland & Seneca (4) Pine trees on Sachem Lane (5) Tot Lot (6) Comanche drive and Arapahoe drive.
 4. Edging will be performed on all accessible curbs and sidewalks with every cut.
 5. Fertilization Schedule: Early spring: All lawn areas will be fertilized with crab grass fertilizer. Late spring: All lawn areas will again be fertilized with look up to prevent any weed growth. Early fall: All lawn areas will be fertilized with a broad leaf fertilizer.
 6. Spraying weeds in/around trees and flower beds with round up as needed.
 7. Mulching Services: This service will be provided one time yearly, in the early spring and will be applied in designated areas. In the spring all trees and beds will be spade edged to promote a defined appears and the old mulch will be removed
 8. Flower Rotation Services: Seasonal flowers will be added twice yearly in the late spring and late fall.
 9. Shrubbery Pruning Services: Shrubbery that requires shearing to maintain a proper appearance will be sheared as needed per contract year. Informal shrubbery will be pruned twice yearly, roughly in June and early September. Flowering shrubs will be pruned after blooming. Ground covers will be edged and pruned as needed to maintain them within their borders. Customary pruning practices will be observed and all resulting debris will be removed. Perennials will be cut back and pruned at the suitable times, usually in early spring, unless otherwise requested.
 10. Spring Clean Up: All down branches will be picked up and removed. The flower beds will be cleaned of any debris. The wooded area(s) will be trimmed back where needed and a general inspection of all landscape areas will be conducted.
 11. Tree Trimming Services: Tree trimming of all designated trees will be one time yearly in the early spring.

General Specifications:

Insurance - Faulkner Lawn Care & Landscape will carry and maintain in full force and effect for the contract period the following insurance converges as provided below.

General liability/Aggregate - \$600,000 each occurrence

Liability & Medical Expenses - \$300,000 each occurrence

Personal and Advertising injury limit - \$300,000

Fire Legal Liability- any one fire or explosion - \$500,000

Medical Expenses limit- per person \$10,000

Products-Completed Operations Aggregate Limit - \$600,000

Automobile Liability - \$300,000

Workers Compensation as required by local and state jurisdiction

Certificate of Insurance: Faulkner Lawn Care and Landscaping will provide a copy of insurance with this proposal upon request.

Transparency Statement: Faulkner Lawn Care & Landscape reserves the right to temporarily suspend service for payments not being received within fifteen days of the due date.

Staff Oversight: Faulkner Lawn Care & Landscape will provide the necessary supervision of all staff on the property to ensure all tasks and services are performed professionally and timely.

Budget: The proposed budget for the town of Forest Heights Maryland is \$38,500 annually for a 12 month period totaling \$ 5500.00 monthly. Payment will be due the first of the month for seven consecutive months upon submission of monthly invoicing.

Snow Removal Proposal:

Faulkner Lawn care & Landscaping will provide snow removal services as needed and as deemed necessary for the 2021 – 2026 winter season at the following rates. This contract will include a 3% cost of living increase for each year of service and a two year option for the 2027-2028 winter seasons.

- Skid loader with plow or bucket at \$165.00 per hour
- Truck with spreader at \$145.00 per hour
- Truck with plow at \$145.00 per hour
- Laborers for snow shoveling at \$45.00 per hour w/snow blowers \$85.00 per hour

(Payment for all snow removal will be due upon submission of invoice)

Disclaimer: Faulkner Lawn care & Landscaping is not liable for damages to speed bumps or manhole covers. Please note an hour minimum charge will be charged for drop off of skid loader. Depending on the projected weather forecast, Faulkner Lawn care & Landscaping will drop off skid loader prior to a major snowstorm. The skid loader will be used to move snow in areas that the trucks will be unable to move.

Landscaping and Snow Removal Proposal:

The landscaping and snow removal proposal is converted into a contract with a signature and date below. This contract is to be paid after completion of services as listed above. The cost includes purchase of material, equipment use, and labor or personnel costs.

Proposal Submitted by:
Faulkner Lawn Care & Landscaping on April 29, 2021
Gary T. Faulkner, President/CEO

Proposal Accepted by:
Town of Forest Heights

Date: _____

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS
RESOLUTION 21-21 Fiscal Year 2021 Budget Amendment**

INTRODUCED BY: Mayor Habeeb-Ullah Muhammad

A resolution to amend sums and amounts for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021.

Section 1. The general purpose of the Resolution is to amend sums and amounts appropriated for the 2020 - 2021 Budget of the Town of Forest Heights, Maryland in the following areas of the General Fund.

Section 2. BE IT RESOLVED by the Mayor and Town Council of the Town of Forest Heights, Maryland that the sums and amounts appropriated are hereby amended for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021, to defray expenses and operations costs for the Town of Forest Heights as follows:

NOW, BE IT RESOLVED, that Revenue line item 6126 MD Dept of Planning Census Grant be added in the amount of \$35,000. and that Expenditure line item 8048 MD Dept of Planning Census Grant be added in the amount of \$35,000.; and the Expenditure Appropriation for the Public Safety Department be increased in the amount of \$54,760. to reflect expenditures incorporated in Attachment 1 as support for Budget Amendment Resolution 64-20, which was adopted by Council on November 18, 2020, but was inadvertently omitted in the writing of Resolution 64-20, and that Revenue line item 6037 Speed Camera Fund be increased in the amount of \$54,760.

REVENUES

GENERAL FUND REVENUES

Town Real Estate Taxes - Noncommercial	\$796,800.00
Town Real Estate Taxes - Commercial	\$43,300.00
Town Real Estate Taxes – Rented Residential	\$93,300.00
Income Taxes	\$180,700.00
Other Taxes	\$80,000.00

Trash Fee	\$187,935.00
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INTERGOVERNMENT	\$782,694.00	\$817,694.00
LICENSES & PERMITS	\$14,800.00	
TOWN SERVICES	\$8,596.00	

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 21-21 Fiscal Year 2021 Budget Amendment

SPEED CAMERA	\$1,637,700.00	\$1,692,460.00
OTHER REVENUES	\$115,650.00	
OTHER FINANCING	\$853,613.25	
FUND BALANCE	\$2,377,268.00	
TOTAL BUDGETED REVENUES	\$7,172,356.25	\$7,262,116.25

EXPENDITURES

GENERAL GOVERNMENT	\$68,845.00	
ADMINISTRATION	\$332,035.00	
NON-DEPARTMENTAL	\$250,300.00	
PUBLIC SAFETY	\$1,068,345.00	\$1,123,105.00
PUBLIC WORKS	\$374,834.00	
SPEED CAMERA		
Direct Speed Camera Cost	\$1,318,535.00	
State Revenue	\$175,000.00	
Allowable Expenses	\$15,200.00	
STREET IMPROVEMENTS	\$595,182.00	
TRASH SERVICES EXPENSE	\$195,310.00	
CAPITAL IMPROVEMENTS	\$447,500.00	
MUNICIPAL BUILDING EXPENSE	\$427,600.00	
STREET LIGHTING EXPENSE	\$42,000.00	
TOTAL SPECIAL PROGRAM EXPENSE	\$32,250.00	
GRANTS – RESTRICTED FUNDING	\$506,883.50	\$541,883.50
FUND BALANCE	\$1,322,536.75	
TOTAL BUDGETED EXPENDITURES	\$7,172,356.25	\$7,262,116.25

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of May 2021.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS
RESOLUTION 21-21 Fiscal Year 2021 Budget Amendment**

MUHAMMAD _____

BARNES _____

HINES _____

KENNEDY II _____

ATKINSON _____

NOBLE _____

WASHINGTON _____

I HEREBY CERTIFY that the above Resolution __ - 21 was passed by the required yeas and nays vote of the Mayor and Council of Forest Heights on the ____ day of May 2021.

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President




Town of Forest Heights

5508 ARAPAHOE DRIVE
FOREST HEIGHTS, MARYLAND 20745-1998
(301) 839-1030 Fax (301) 839-9236

Habeeb-Ullah Muhammad
Mayor

MEMORANDUM

To: The Mayor and Council

From: Leittia Vaughn 
Treasurer

Date: November 13, 2020

Re: FY 2021 Budget Amendment – Public Safety Department and Speed
Enforcement Unit (updated)

Attachments 1 and 2 are provided as detail to support the requested increases which are incorporated in summary in Resolution 64 - 20 for the Public Safety Department and Speed Enforcement Unit. Please note that detail line items, along with amounts adopted by the Council, will be updated in the budget line item schedule after the adoption of Resolution 64-20.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 64 - 20 – Fiscal Year 2021 Budget Amendment

INTRODUCED BY: Mayor Habeeb-Ullah Muhammad

A resolution to amend sums and amounts for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021.

Section 1. The general purpose of the Resolution is to amend sums and amounts appropriated for the 2020 - 2021 Budget of the Town of Forest Heights, Maryland in the following areas of the General Fund.

Section 2. BE IT RESOLVED by the Mayor and Town Council of the Town of Forest Heights, Maryland that the sums and amounts appropriated are hereby amended for the Fiscal Year beginning July 1, 2020 and ending June 30, 2021, to defray expenses and operations costs for the Town of Forest Heights as follows:

NOW, BE IT RESOLVED, that Revenue line item 6020 GUCCP Retention and Recruitment Grant be added in the amount of \$13,500. and that Expenditure line item 7066 Uniform Issue be increased in the amount of \$6,000. and that line item 7076 Supplies and Miscellaneous Expense be increased in the amount of \$7,500.; that Revenue line item 6127 Cares Act Grant be added in the amount of \$136,355. and that Expenditure line item 8049 Cares Act Grant be added in the amount of \$136,355.; that Revenue line item 6037 Speed Camera Fund be increased in the amount of \$537,700. and that the Expenditure Appropriation for the Speed Camera – Direct Cost be increased in the amount of \$537,700. to reflect expenditures incorporated in Attachment 1 of the provided Budget Memo; and Expenditure line item 7029 General Liability Insurance be increased in the amount of \$10,000. and Expenditure line item 9999 Unassigned Fund Balance be decreased in the amount of \$10,000.

REVENUES

GENERAL FUND REVENUES

Town Real Estate Taxes - Noncommercial	\$796,800.00	
Town Real Estate Taxes - Commercial	\$43,300.00	
Town Real Estate Taxes – Rented Residential	\$93,300.00	
Income Taxes	\$180,700.00	
Other Taxes	\$80,000.00	
Trash Fee	\$187,935.00	
INTERGOVERNMENT	\$632,839.00	\$782,694.00
LICENSES & PERMITS	\$14,800.00	
TOWN SERVICES	\$8,596.00	

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 64 - 20 - Fiscal Year 2021 Budget Amendment

SPEED CAMERA	\$1,100,000.00	\$1,637,700.00
OTHER REVENUES	\$115,650.00	
OTHER FINANCING	\$853,613.25	
FUND BALANCE	\$2,377,268.00	
TOTAL BUDGETED REVENUES	\$6,484,801.25	\$7,172,356.25

EXPENDITURES

GENERAL GOVERNMENT	\$68,845.00	
ADMINISTRATION	\$332,035.00	
NON-DEPARTMENTAL	\$240,300.00	\$250,300.00
PUBLIC SAFETY	\$1,054,845.00	\$1,068,345.00
PUBLIC WORKS	\$374,834.00	
SPEED CAMERA		
Direct Speed Camera Cost	\$780,835.00	\$1,318,535.00
State Revenue	\$175,000.00	
Allowable Expenses	\$15,200.00	
STREET IMPROVEMENTS	\$595,182.00	
TRASH SERVICES EXPENSE	\$195,310.00	
CAPITAL IMPROVEMENTS	\$447,500.00	
MUNICIPAL BUILDING EXPENSE	\$427,600.00	
STREET LIGHTING EXPENSE	\$42,000.00	
TOTAL SPECIAL PROGRAM EXPENSE	\$32,250.00	
GRANTS - RESTRICTED FUNDING	\$370,528.50	\$506,883.50
FUND BALANCE	\$1,332,536.75	\$1,322,536.75
TOTAL BUDGETED EXPENDITURES	\$6,484,801.25	\$7,172,356.25

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

PASSED this 18 day of November 2020.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

BARNES

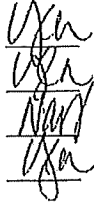
HINES

Yea
Yea
Yea

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 64 - 20 – Fiscal Year 2021 Budget Amendment

KENNEDY II
ATKINSON
NOBLE
WASHINGTON



I HEREBY CERTIFY that the above Resolution 64 - 20 was passed by the required ye and nay vote of the Mayor and Council of Forest Heights on the 18 day of November 2020.

ATTEST:

THE TOWN OF FOREST HEIGHTS

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By: Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Calvin Washington, Council President

Town of Forest Heights

	<u>ADOPTED</u>		<u>AMENDED</u>	<u>FUNDING</u>
	<u>Jul '20 - Jun 21</u>		<u>Jul '20 - Jun 21</u>	<u>NEEDED</u>
9015 - Total Public Safety				Attachment 1
7055 - Salary - Police Clerk	40,000.00	Hoffman	40,000.00	
7200 - Salary - Chief	61,800.00	Rease	78,700.00	
7057 - Salary - Police Officer	42,000.00	Palge	48,100.00	
7060 - Salary - Police Officer	42,000.00	Nugent	46,700.00	
7061 - Salary - Police Officer	45,895.00	Campbell	50,100.00	
7062 - Salary - Police Officer	45,895.00	Grooms	50,100.00	
7262 - Salary - Police Officer	42,000.00	Best	46,700.00	
7064 - Salary - Lieutenant	42,000.00	vacant	40,700.00	
7269 - Salary - Police Officer	42,000.00	Williams	46,700.00	
7270 - Salary - Police Officer	50,000.00	Blgalow	46,700.00	
7085 - Overtime - Police	58,000.00		58,000.00	
7056 - Salary- Code Enforcement Off	41,205.00		41,205.00	
7220 - Salary - Code Enforcement-P/T	19,760.00		19,760.00	
7165 - Overtime - Code Enforcement	2,600.00		2,600.00	
7167 - Workers Compensation	66,140.00		66,140.00	
7168 - Health Insurance	75,900.00		70,000.00	
7169 - Life/Disability Insurance	7,000.00		7,300.00	
7170 - Retirement	29,600.00		37,350.00	
7171 - FICA	42,000.00		47,600.00	
7066 - New Uniform Issue - Police	10,000.00		10,000.00	
7375 - Debt Service - Police Equipment	15,000.00		15,000.00	
7068 - Gasoline Expense-Police	30,000.00		30,000.00	
7069 - Vehicle/Equipment Repair	23,000.00		23,000.00	
7070 - Office Supplies - Police	7,500.00		7,500.00	
7372 - Supplies - CEO	8,000.00		8,000.00	
7073 - Communication Equip - Service	7,500.00		7,500.00	
7074 - Law Enforcement Equip - Capital	35,000.00		35,000.00	
7373 - Law Enforcement Equip-Supplies	5,000.00		5,000.00	
7075 - Training/Dues/Meetings/Conv-PD	10,000.00		10,000.00	
7374 - Training/Dues/Meetings/Conv-CEO	2,000.00		2,000.00	
7076 - Supplies & Miscellaneous Exp	9,000.00		9,000.00	
7077 - Mobile Data Computers	12,000.00		12,000.00	
7175 - Surveillance Cameras	5,000.00		5,000.00	
7084 - Telephone - Police Department	3,600.00		3,600.00	
7201 - Debt Service-New Police Vehicle	42,000.00		42,000.00	
7176 - Police MOU/Attorney Fee	7,000.00		7,000.00	
7203 - Communication Equipment	3,000.00		3,000.00	
7204 - Weapons (Firearms & Ammunition)	9,800.00		9,800.00	
7205 - Recruitment Expense	4,000.00		4,000.00	
7206 - Substance and Physical Testing	2,250.00		2,250.00	
7290 - Parking Collection Fee	1,000.00		1,000.00	
7376 - Canine Expense	5,800.00		5,800.00	
7207 - Neighborhood Watch	2,000.00		2,000.00	
Total 9015 - Total Public Safety	1,054,845.00		1,109,805.00	54,760.00

Note: All "bolded items" are affected by salary adjustments.

Town of Forest Heights

	<u>ADOPTED</u> <u>Jul '20 - Jun 21</u>	<u>AMENDED</u> <u>Jul '20 - Jun 21</u>	<u>FUNDING</u> <u>NEEDED</u>
<u>9055 · Total Speed Enforcement Unit</u>			Attachment 2
7300 · Administrative Fee	460,000.00	460,000.00	
7301 · Salary - Ombudsman	15,000.00	15,000.00	
- Salary - Admin Clerk		Sulte 26,700.00	
7378 · Salary-Auto Enforcement Officer	175,675.00		
- Lieutenant		Jones 41,200.00	
- Corporal		Govan 50,100.00	
- Officer		Van Buren 46,700.00	
- Officer		vacant 46,700.00	
7302 · Overtime	20,000.00	30,000.00	
7305 · FICA	16,100.00	19,700.00	
7399 · Retirement	11,745.00	14,500.00	
7398 · Worker's Compensation	25,315.00	31,500.00	
7304 · Benefits	30,000.00		
- Life Insurance		3,300.00	
- Health Insurance		32,100.00	
- Uniforms		15,000.00	
- Gasoline		10,000.00	
- Vehicle Repair		7,000.00	
- Office Supplies		22,000.00	
- Communication Equipment		3,300.00	
- Law Enforcement Equipment - Capital		296,000.00	
- Training/Dues/Meetings/Conventions		5,000.00	
- Supplies		7,000.00	
- Mobile Data Computers		2,500.00	
- Telephone		2,500.00	
7216 · Attorney Fees	15,000.00	20,000.00	
7210 · Computers/Software	7,000.00	7,000.00	
- Weapon and Ammunitions		4,600.00	
- Substance Abuse Testing		1,500.00	
7214 · Other	5,000.00	5,000.00	
Total 9055 · Total Speed Camera Expenses	<u>780,835.00</u>	<u>1,225,900.00</u>	445,065.00

Note: All "bolded items" are affected by new staffing and departmental needs.
Line item numbers are to be assigned.

**MAYOR AND TOWN COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 22-21 – Establish Fiscal Year 2022 Tax Rates

INTRODUCED BY: MAYOR & TOWN COUNCIL

ENACTED: _____

WHEREAS, the Mayor and Town Council passed Ordinance No. 03-13 on July 22, 2013 making it effective for the tax year beginning July 1, 2014, and for each tax year thereafter unless altered by subsequent enactment of the Town Council, the classifications of property subject to municipal taxation, with respect to those properties, businesses or utilities located within the municipal boundaries of the Town of Forest Heights, shall be as enumerated herein below.

BE IT RESOLVED that the tax rates and waste removal fees for fiscal year 2022 for all real, personal and other property which is subject to taxation by the Town of Forest Heights and as previously approved pursuant to Resolution 16-21 specifically the noncommercial, commercial and rented residential real property tax rate are hereby restated, ratified and approved to be as follows:

Residential Real Property	\$.5076	per \$100.00 of assessed valuation;
Commercial Real Property	\$.5878	per \$100.00 of assessed valuation;
Rented Residential Real Property	\$.5076	per \$100.00 of assessed valuation;
Business Personal Property	\$	1.75	per \$100.00 of assessed valuation;
Public Utility Property	\$	2.00	per \$100.00 of assessed valuation;
Waste Removal	\$	201.00	per household/flat fee.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect July 1, 2021.

PASSED this ____ day of May 2021.

APPROVED:

By Order of the Town Council of
The Town of Forest Heights, Maryland

ATTEST:

MAYOR AND COUNCIL OF THE TOWN OF
FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

_____(SEAL)
Habeeb-Ullah Muhammad, Mayor

Calvin Washington, Council President

**MAYOR AND TOWN COUNCIL
THE TOWN OF FOREST HEIGHTS**

RESOLUTION 22-21 – Establish Fiscal Year 2022 Tax Rates

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ day of May 2021 this Resolution __-21 was enacted and approved with ___ Aye votes and ___ Nay votes.

Sherletta Hawkins, Town Clerk